Docket No.: 7291P043

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

**EUAN THOMSON** 

Application No.: 10/743,502

Filed: December 22, 2003

For: APPARATUS AND METHOD FOR

**RADIOSURGERY** 

Art Group: 3737

Examiner: Sullivan, Julianne M.

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

03/10/2006 SHASSEN1 00000009 10743502

03 FC:1806

180.00 OP

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

The fee set in the amount of \$180.00 for submission of the Information Disclosure Statement is enclosed herewith. Please charge any additional fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, FAYLOR & ZAFMAN LLP

Damel E. Ovanezian, Reg. No. 41,236

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (408) 720-8300

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sarah M. Montgomery

Date

MAR 0 9 2006 W

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Sheet** 1 | **of** | 2

		_		
Complete if Known				
Application Number	10/743,502			
Filing Date	December 22, 2003			
First Named Inventor	Euan Thomson			
Art Unit	3737			
Examiner Name	Sullivan, Julianne M.			
Attorney Docket Number	7291P043			

U.S. PATENT DOCUMENTS					
F		Document Number	Publication Date	blication Date	Pages, Columns, Lines, Where
Initials*	Initials* Cite Number - Kind Code <sup>2</sup> (if known) or Issue Da		or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		US-5,207,223	05-04-1993	Adler	
		US-6,889,695	05-10-2005	Pankratov et al.	
		US-2004/0131150	07-08-2004	Pankratov et al.	
		US-6,501,981	12-31-2002	Schweikard et al.	
		US-4,583,538	04-22-1986	Onik et al.	
		US-5,067,981	11-26-1991	Hooykaas	
		US-5,222,499	06-29-1993	Allen et al.	
		US-5,447,154	09-05-1995	Cinquin et al.	
		US-5,537,452	07-16-1996	Shepherd et al.	
		US-5,588,430	12-31-1996	Bova et al.	
		US-5,622,187	04-22-1997	Carol	
		US-5,727,554	03-17-1998	Kalend et al.	
		US-5,797,849	08-27-1998	Vesely et al.	
		US-5,971,997	10-26-1999	Guthrie et al.	
		US-6,006,126	12-21-1999	Cosman	
		US-6,076,005	06-13-2000	Sontag et al.	
		US-6,120,453	09-19-2000	Sharp	
		US-6,144,875	11-07-2000	Schweikard et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document			Pages, Columns, Lines,	T6
Initials* No.	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	1"	
		WO 2005/000102 A2	01-06-2005	ACCURAY, INC.		
						↓
						-
	ļ					$\vdash$
<del></del>	<del> </del>					╁
						$\vdash$

Examiner		Date	
Signature	•	Considered	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 08/11/2003.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE					Complete if Known		
			CHE	Application Number	10/743,502		
			JOURE	Filing Date	December 22, 2003		
STAT	STATEMENT BY APPLICANT			First Named Inventor	Euan Thomson		
•				Art Unit	3737		
				Examiner Name	Sullivan, Julianne M.		
Sheet	2	of	2	Attorney Docket Numbe	7291P043		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.'	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
		"International Search Report", International Searching Authority, PCT/US04/18742, October 25, 2005, 4 pages.		
		"Written Opinion of the International Searching Authority", International Searching Authority, PCT/US04/18742, October 25, 2005, 6 pages.		
:				
,				
			-	

Examiner	Date	
Signature	Considered	

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>&#</sup>x27;Applicant's unique citation designation number. <sup>3</sup>Applicant is to place a check mark here if English language Translation is attached.